

There being no further business before the Council, Councilman Gillis moved to recess, subject to call of the Mayor. The motion carried by the following vote: Ayes, Councilmen Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 4; nays, none; Councilman Alford absent, 1.

The Council then recessed.

Attest:

Helen G. McEllar
City Clerk

Approved: Tom Miller
Mayor.

REGULAR MEETING OF THE CITY COUNCIL:

Austin, Texas, August 2, 1934.

The meeting was called to order by the Mayor. Roll call showed the following members present: Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; absent, none.

The Minutes of the last regular meeting were read and upon motion of Councilman Wolf were adopted as read by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

The complaint of Mrs. Chas. Stephenson and Mr. John Shelton relative to the operation of a ping pong parlor at 2907 Guadalupe Street was heard and the matter was taken under advisement with the City Attorney.

Messrs. T. H. Biese, Gordon Roberts, and Dudley Miller, as agents of the Scarbrough Building, Littlefield Building, and Norwood Building, respectively, came before the Council and urged that Sections 10 and 15 of the proposed Plumbing Ordinance be amended in certain particulars. After a discussion of the matter, it was agreed that said agents and the plumbers of the City would meet with the City Manager, City Attorney, and Plumbing Department for a further study of amendments asked for.

The Mayor laid before the Council the following resolution:

WHEREAS, The curb and sidewalk specifications of the City of Austin, which have been previously adopted by the City Council of the City of Austin, require that in the residential portions of the City sidewalks shall be at least $4\frac{1}{2}$ feet in width and in case greater widths are desired special authorization from the City Council of the City of Austin shall be secured for the same; and

WHEREAS, Arthur F. Nichols, owner of Lot 6, of Hart's Resubdivision of Block 16 of Christian and Fellman Addition, which Lot 6 is located at the northwest corner of the intersection of East Avenue and East 20th Street within the City of Austin, Travis County, Texas, and being locally known as 2000 East Avenue, has requested the City Council of the City of Austin to grant him permission to construct a concrete walk between the existing sidewalk in place and the existing curb in place and which proposed walk is to begin at a point 7 feet

north of the north line of East 20th Street and is to extend in a northerly direction for a distance of 19 feet; and

WHEREAS, The City Council has investigated and approved the construction of such additional walk; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT Arthur F. Nichols, owner of Lot 6, of Hart's Resubdivision of Block 16, of Christian and Fellman Addition within the City of Austin, Travis County, Texas, which Lot 6 is located at the northwest corner of the intersection of East Avenue and East 20th Street and being locally known as 2000 East Avenue, is hereby granted permission to construct a concrete sidewalk between the existing sidewalk and the existing curb and which concrete sidewalk to be constructed is to begin at a point 7 feet north of the north line of East 20th Street and is to extend in a northerly direction for a distance of 19 feet as shown upon the map or plan hereto attached marked 2-H-383, which map or plan is hereby made a part of this resolution, and said walk is to be constructed under the supervision and direction of the City Engineer of the City of Austin and in accordance with lines and grades furnished by the Engineering Department of the City of Austin, and provided that this concrete walk shall be constructed by a bonded sidewalk contractor.

Upon motion of Councilman Gillis, the resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

The Mayor laid before the Council the following resolution:

WHEREAS, J. M. Odom is the Contractor for the alteration of a building located at 616 Congress Avenue and desires a portion of the sidewalk and street space abutting the south 26 feet of Lot 5 and the north 23 feet of Lot 4, Block 70, of the Original City of Austin, Texas, during the alteration of the building, such space to be used in the work and for the storage of materials therefor; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

1. THAT space for the uses hereinabove enumerated be granted to said J. M. Odom, the boundary of which is described as follows:

SIDEWALK AND STREET WORKING SPACE.

Beginning at a point in the west line of Congress Avenue 27 feet south of the north line of the above described premises; thence in an easterly direction and at right angles to the centerline of Congress Avenue a distance to a point 16 feet east of the west curb line of Congress Avenue; thence in a northerly direction and parallel with the centerline of Congress Avenue a distance of 31 feet; thence in a westerly direction and at right angles to the centerline of Congress Avenue a distance to the west line of Congress Avenue; thence in a southerly direction along the west line of Congress Avenue to the place of the beginning.

2. THAT the above privileges and allotment of space are granted to said J. M. Odom, hereinafter termed "Contractor", upon the following express terms and conditions:

(1) That the Contractor shall construct a walkway within the above described working space along the north, east and south boundary lines of said working space, such walkway to be protected on each side by guard rails at least 4 feet high and substantially braced and anchored, the walkways along the north and south boundary lines of said working space to be ramps with a grade of not more than 1:8, extending from the sidewalk level down to the street level.

(2) That the Contractor shall in no way obstruct any fire plugs or other public utilities in the construction of such guard rail.

(3) That provision shall be made for the normal flow of all storm waters in the gutter and the Contractor will be responsible for any damage done due to obstruction of any such storm waters.

(4) That the Contractor shall place on the outside corners of any walkway barricades or obstructions, red lights during all periods of darkness.

(5) That the Contractor is permitted to construct a temporary work office within such allotted working space provided such work office is not within 25 feet of any corner street intersection.

(6) That the Contractor shall remove all fences, barricades, loose materials and other obstructions on the sidewalk and street immediately after the necessity for their existence on said sidewalk or street has ceased, such time to be determined by the City Manager, and in any event all such sidewalk, barricades, materials, equipment and other obstructions shall be removed not later than September 1, 1934.

(7) That the Contractor shall restore all public and private property injured during the use of such space to as good condition as the same existed before the use of such space began.

(8) That the City reserves the right to revoke at any time any and all the privileges herein granted or to require the erection or installation of additional barriers or safeguards if the conditions demand it.

(9) That the Contractor shall furnish the City of Austin a surety bond in the sum of Five Thousand (\$5000.00) Dollars, which shall protect, indemnify and hold harmless the City of Austin from any claims for damages to any person or property that may accrue to or be brought by any person by reason of the exercise of the privileges granted the Contractor by the City of Austin and shall guarantee the replacement of all sidewalks, pavement and all other public property and public utilities disturbed or removed during the construction work and shall further guarantee the construction of a walkway and other safeguards during the occupancy of the space.

The above resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

The Mayor laid before the Council the following resolution:

WHEREAS, Max Silberstein is the Contractor for the repair of an awning located at 408 East 6th Street and desires a portion of the sidewalk and street space abutting Lot 2 (E), Block 66, of the Original City of Austin, Texas, during the repair of the awning, such space to be used in the work and for the storage of materials therefor; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

1. THAT space for the uses hereinabove enumerated be granted to said Max Silberstein, the boundary of which is described as follows:

SIDEWALK AND STREET WORKING SPACE.

Beginning at a point in the north line of East 6th Street 23 feet east of the west line of Lot 2, Block 66, of the Original City; thence in a southerly direction and at right angles to the centerline of East 6th Street a distance of 15 feet; thence in an easterly direction and parallel to the centerline of East 6th Street, a distance of 20 feet; thence in a northerly direction and at right angles to the centerline of East 6th Street a distance to the north line of East 6th Street; thence in a westerly direction along the north line of East 6th Street to the place of the beginning.

2. THAT the above privileges and allotment of space are granted to said Max Silberstein, hereinafter termed "Contractor", upon the following express terms and conditions:

(1) That the Contractor shall maintain at all times an open walkway beneath the awning protected from the work by a guard rail at least 4 feet high and substantially braced and anchored.

(2) That the Contractor shall in no way obstruct any fire plugs or other public utilities in the construction of such guard rail.

(3) That provision shall be made for the normal flow of all storm waters in the gutter and the Contractor will be responsible for any damage done due to obstruction of any such storm waters.

(4) That the Contractor shall place on the outside corners of any walkway, barricades, or obstructions, red lights during all periods of darkness.

(5) That the Contractor is permitted to construct a temporary work office within such allotted working space provided such work office is not within 25 feet of any corner street intersection.

(6) That the Contractor shall remove all fences, barricades, loose materials and other obstructions on the sidewalk and street immediately after the necessity for their existence on said sidewalk or street has ceased, such time to be determined by the City Manager, and in any event all such sidewalk, barricades, materials, equipment and other obstructions shall be removed not later than August 15, 1934.

(7) That the Contractor shall restore all public and private property injured during the use of such space to as good condition as the same existed before the use of such space began.

(8) That the City reserves the right to revoke at any time any and all the privileges herein granted or to require the erection or installation of additional barriers or safeguards if the conditions demand it.

(9) That the Contractor shall furnish the City of Austin a surety bond in the sum of Five Thousand (\$5000.00) Dollars, which shall protect, indemnify and hold harmless the City of Austin from any claims for damages to any person or property that may accrue to or be brought by any person by reason of the exercise of the privileges granted the Contractor by the City of Austin and shall guarantee the replacement of all sidewalks, pavement and all other public property and public utilities disturbed or removed during the construction work and shall further guarantee the construction of a walkway and other safeguards during the occupancy of the space.

Upon motion of Councilman Gillis, the resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

The Mayor laid before the Council the following resolution:

WHEREAS, Carl Quick is the Contractor for the repair of an awning located at 916 Congress Avenue and desires a portion of the sidewalk space abutting the south one-half of Lot 5, Block 110, of the Original City of Austin, Texas, during the repair of the awning, such space to be used in the work and for the storage of materials therefor; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

1. That space for the uses hereinabove enumerated be granted to said Carl Quick, the boundary of which is described as follows:

SIDEWALK WORKING SPACE

Beginning at the southeast corner of the above described lot; thence in an easterly direction and at right angles to the centerline of Congress Avenue a distance to the west curb line of Congress Avenue; thence in a northerly direction and parallel with the centerline of Congress Avenue a distance of 23 feet; thence in a westerly direction and at right angles to the centerline of Congress Avenue a distance to the west line of Congress Avenue; thence in a southerly direction along the west line of Congress Avenue to the place of the beginning.

2. That the above privileges and allotment of space are granted to said Carl Quick, hereinafter termed "Contractor", upon the following express terms and conditions:

(1) That the Contractor shall maintain at all times an open walkway beneath the awning protected from the work by a guard rail at least 4 feet high and substantially braced and anchored.

(2) That the Contractor shall in no way obstruct any fire plugs or other public utilities in the construction of such guard rail.

(3) That provision shall be made for the normal flow of all storm waters in the gutter and the Contractor will be responsible for any damage done due to obstruction of any such storm waters.

(4) That the Contractor shall place on the outside corners of any walkway, barricades or obstructions, red lights during all periods of darkness.

(5) That the Contractor is permitted to construct a temporary work office within such allotted working space provided such work office is not within 25 feet of any corner street intersection.

(6) That the Contractor shall remove all fences, barricades, loose materials and other obstructions on the sidewalk and street immediately after the necessity for their existence on said sidewalk or street has ceased, such time to be determined by the City Manager, and in any event all such sidewalk, barricades, materials, equipment and other obstructions shall be removed not later than August 15, 1934.

(7) That the Contractor shall restore all public and private property injured during the use of such space to as good condition as the same existed before the use of such space began.

(8) That the City reserves the right to revoke at any time any and all the privileges herein granted or to require the erection or installation of additional barriers or safeguards if the conditions demand it.

(9) That the Contractor shall furnish the City of Austin a surety bond in the sum of Five Thousand (\$5000.00) Dollars, which shall protect, indemnify and hold harmless the City of Austin from any claims for damages to any person or property that may accrue to or be brought by any person by reason of the exercise of the privileges granted the Contractor by the City of Austin and shall guarantee the replacement of all sidewalks, pavement and all other public property and public utilities disturbed or removed during the construction work and shall further guarantee the construction of a walkway and other safeguards during the occupancy of the space.

Upon motion of Councilman Gillis, the resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

The Mayor laid before the Council the following resolution:

WHEREAS, Max Silberstein is the Contractor for the alteration of a building located at 319 East 6th Street and desires a portion of the sidewalk and street space abutting the west one-half of Lot 8, Block 58, of the Original City of Austin, Texas, during the alteration of the building, such space to be used in the work and for the storage of materials therefor; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

1. THAT space for the uses hereinabove enumerated be granted to said Max Silberstein, the boundary of which is described as follows:

SIDEWALK AND STREET WORKING SPACE.

Beginning at the northwest corner of the above described lot; thence in a northerly direction and at right angles to the centerline of East 6th Street a distance of 14 feet; thence in an easterly direction and parallel with the centerline of East 6th Street a distance of 23 feet; thence in a southerly direction and at right angles to the centerline of East 6th Street a distance to the south line of East 6th Street; thence in a westerly direction along the south line of East 6th Street to the place of the beginning.

2. THAT the above privileges and allotment of space are granted to said Max Silberstein hereinafter termed "Contractor", upon the following express terms and conditions:

(1) That the Contractor shall construct a walkway within the above described working space along the north boundary line of said working space, such walkway to be 4 feet wide and protected on each side by guard rails at least 4 feet high and substantially braced and anchored.

(2) That the Contractor shall in no way obstruct any fire plugs or other public utilities in the construction of such guard rail.

(3) That provision shall be made for the normal flow of all storm waters in the gutter and the Contractor will be responsible for any damage done due to obstruction of any such storm waters.

(4) That the Contractor shall place on the outside corners of any walkway, barricades, or obstructions, red lights during all periods of darkness.

(5) That the Contractor is permitted to construct a temporary work office within such allotted working space provided such work office is not within 25 feet of any corner street intersection.

(6) That the Contractor shall remove all fences, barricades, loose materials and other obstructions on the sidewalk and street immediately after the necessity for their existence on said sidewalk or street has ceased, such time to be determined by the City Manager, and in any event all such sidewalk, barricades, materials, equipment and other obstructions shall be removed not later than August 15, 1934.

(7) That the Contractor shall restore all public and private property injured during the use of such space to as good condition as the same existed before the use of such space began.

(8) That the City reserves the right to revoke at any time any and all the privileges herein granted or to require the erection or installation of additional barriers or safeguards if the conditions demand it.

(9) That the Contractor shall furnish the City of Austin a surety bond in the sum of Five Thousand (\$5000.00) Dollars, which shall protect, indemnify and hold harmless the City of Austin from any claims for damages to any person or property that may accrue to or be brought by any person by reason of the exercise of the privileges granted the Contractor by the City of Austin and shall guarantee the replacement of all sidewalks, pavement and all other public property and public utilities disturbed or removed during the construction work and shall further guarantee the construction of a walkway and other safeguards during the occupancy of the space.

The above resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

The Mayor laid before the Council the following resolution:

WHEREAS, Texas Public Service Company has presented to the City Council tentative maps or plans showing the proposed construction of its gas mains in the streets in the City of Austin hereafter named, and said maps or plans have been considered by the City Council; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT Texas Public Service Company be and the same is hereby permitted to lay and construct its gas mains in and upon the following streets:

(1) A 6" gas main in ROSEDALE TERRACE from the west line of Alta Vista Avenue easterly and northerly a distance of 206 feet, the centerline of which gas main shall be 20 feet south of and parallel to the north line of said Rosedale Terrace. Said gas main described above shall have a cover of not less than 2 feet.

(2) A gas main in ALTA VISTA AVENUE from Rosedale Terrace south a distance of 168 feet, the centerline of which gas main shall be 20 feet west of and parallel to the east line of said Alta Vista Avenue. Said gas main described above shall have a cover of not less than 2 feet.

The Texas Public Service Company is hereby put upon notice that the City of Austin does not guarantee that the space assigned above is clear from other underground utilities, but is based upon the best records we have at hand, and that the minimum depth stated does not have any reference to the fact that greater depths may be required at special points. When the Texas Public Service Company requires definite information upon the ground as to elevations or working points from which to base the location of their assignments, they shall apply to the City Engineering Department not less than three (3) days before such information is required. The Texas Public Service Company is further put upon notice that they will be required to bear the expense of repairs or replacement of any underground utility damaged during the construction of lines named in this resolution.

AND THAT whenever pavement is cut in the vicinity of a fire plug, water must be used at intervals during the course of backfilling of the ditches.

THAT the work and laying of said gas mains, including the excavation in the streets, and the restoration and maintenance of said streets after said mains have been laid, shall be under the supervision and direction of the City Manager, and under all the pertinent terms and conditions of the certain franchise granted to said company by the City of Austin.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

The Mayor laid before the Council the following resolution:

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the sum of \$2.50 be and the same is hereby appropriated out of the General Fund, not otherwise appropriated, for the purpose of refunding to W. C. Blundell the amount of cigarette license paid by him for the year 1934, under License No. 6369.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

The Mayor laid before the Council the following resolution:

WHEREAS, There is an alley platted in Block 3, in Travis Heights, City of Austin, which alley as platted extends along a cliff, from which there is an abrupt decline in the middle of the alley area of approximately 15 feet, and for such reason same can not be used as an alley without considerable expense to the City in the construction of bridges, etc.; and

WHEREAS, Said alley, on account of the facts above stated, has never been open for public use and has never been used by the occupants of the abutting premises; therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT said alley be and the same is hereby perpetually closed and vacated, and that the control of same is hereby relinquished with the exception and reservation that an easement is reserved for public utilities.

The resolution was adopted by the following vote: Ayes, Councilmen Alford, Bartholomew, Gillis, Mayor Miller, and Councilman Wolf, 5; nays, none.

The Mayor laid before the Council the following ordinance: